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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 EDDIE D. WILSON,

11 Plaintiff,

12 v.

13 REPUBLIC SERVICES OF SOUTHERN
14 NEVADA,

15 Defendant.

Case No. 2:10-CV-01156-KJD-LRL

ORDER

16 Plaintiff's Complaint (#4) was filed September 2, 2010. Federal Rule of Civil Procedure
17 4(m) requires service of summons and complaint to be made upon a defendant 120 days after the
18 filing of the complaint. The 120 day time period for effecting service of the summons and complaint
19 upon Defendant expired no later than January 3, 2011. In his September 2, 2010 Order (#3), the
20 magistrate judge warned Plaintiff that he must give the court notice within twenty (20) days of
21 receiving copies of the completed USM-285 forms of which Defendants were served and which were
22 not. Though the time has passed for effecting service, Plaintiff has not yet filed proof of service.

23 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have up to and including

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1 January 24, 2011 to file proof of service of the summons and complaint within the allowed time. If
2 Plaintiff fails to respond or to file proof of service, the Court will dismiss the complaint without
3 prejudice in accordance with Federal Rule of Civil Procedure 4(m).

4 **IT IS SO ORDERED.**

5 DATED this 5th day of January 2011.

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10 Kent J. Dawson
11 United States District Judge
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